

ATTORNEY DOCKET NO. TN-1379

COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: my residence post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND APPARATUS FOR OBTAINING PRODUCT USE INFORMATION the specification of which is attached hereto unless one of the following boxes below is checked:

The Specification was filed on \_\_\_\_\_, was assigned Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_

was filed as PCT international application number \_\_\_\_\_ on \_\_\_\_\_  
and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below:

Prior Foreign Application(s)  
Claimed

Priority

| Number) | (Country) | (Month/Day/Year Filed) | Yes | No |
|---------|-----------|------------------------|-----|----|
|         |           |                        |     |    |
|         |           |                        |     |    |

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months Prior To The Filing Date of This Application:

| Country | Application No. | Date of Filing |
|---------|-----------------|----------------|
|         |                 |                |
|         |                 |                |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

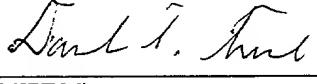
|                                 |                          |  |
|---------------------------------|--------------------------|--|
| 60/089,066<br>(Application No.) | 6/12/98<br>(Filing Date) | Pending<br>(Status-Patent, Pending, Abandoned) |
| 60/087,896<br>(Application No.) | 6/3/98<br>(Filing Date)  | Pending<br>(Status-Patent, Pending, Abandoned) |

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting, patent based on instructions received from the entity who first provides said attorneys with a written notice to the contrary:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity or the application or any patent issued thereon.

|   |  |                 |
|---|--|-----------------|
| GIVEN NAME<br>FAMILY NAME<br><br>Daniele Brotto   | INVENTOR'S SIGNATURE<br>   | DATE<br>4/14/99 |
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| GIVEN NAME<br>FAMILY NAME<br><br>Danh Trinh   | INVENTOR'S SIGNATURE<br> | DATE<br>4/14/99 |
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Attorney Docket No.: TN-1379

ASSIGNMENT

We, Daniele C. BROTTO of 1704 Redwood Avenue, Baltimore, MD 21234, USA; Darnell SMITH of 47 South Lehman Street, York, PA 17403, U.S.A. and Danh Trinh of 36 Acorn Circle, Apt 201, Towson, MD 21286, U.S.A., for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby sell and assign to BLACK AND DECKER, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having its principal place of business at Newark, Delaware, U.S.A., its successors, assigns, nominees, or other legal representatives, the entire right, title and interest in and to the IMPROVEMENTS IN:

## METHOD AND APPARATUS FOR OBTAINING PRODUCT USE INFORMATION

invented by us and the application for United States Patent therefor, executed concurrently herewith, and all original and reissued patents granted therefor, and all divisions and continuations thereof, including the subjects-matter of any and all claims which may be obtained in every such patent and the right to apply for and obtain patents, Utility Model Registrations and Inventor's Certificates in countries foreign to the United States, and in and to any Letters Patent, Utility Model Registration or Inventor's Certificate which may be granted thereon in such foreign countries, including all priority rights under the International Convention associated therewith for each country of the Union, and authorize and request the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue the said Letters Patent, Utility Model Registration or Inventor's Certificate to the said BLACK & DECKER, Inc., its successors, assigns, nominees or other legal representatives, as assignee of the entire interest, and covenant that we have full right to convey the entire interest herein assigned and that we have not executed and will not execute any agreement in conflict herewith, and agree that we will communicate to said BLACK & DECKER, INC., its successors, assigns, nominees or other legal representatives all facts known to me respecting said invention, whenever requested, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and do all lawful acts requisite for the application for such divisional, continuing or reissue applications, or the procuring thereof, and that if and when said BLACK & DECKER, INC., its successors, assigns, nominees or other legal representatives desire to file a disclaimer relating thereto, we will, upon request, sign all lawful papers requisite for the filing of such disclaimer, and we further

covenant and agree that we will, at any time upon request, do everything legally possible to aid said Corporation, its successors, assigns, nominees or other legal representatives, either in its or their own name, to apply for, obtain and enforce patent, Utility Model and/or Inventor's Certificate protection for said improvements in all countries, all without further consideration but at the expense of said BLACK & DECKER, INC., its successors, assigns, nominees, or other legal representatives.

Danielle C. Brotto

DANIELE C. BROTT

Darnell Smith

DARNELL SMITH

Danh T. Trinh

DANH TRINH

4/14/99

Date

4/14/99

Date

4/14/99

Date